



March 7, 2025

**VIA ECF**

Honorable Brian R. Martinotti, U.S.D.J.  
United States District Court  
District of New Jersey  
U.S. Post Office & Courthouse  
2 Federal Square  
Newark, NJ 07102

**Re: *In re: Insulin Pricing Litigation*, MDL No. 3080  
Case No. 2:23-md-03080-BRM-RLS**

Dear Judge Martinotti:

Pursuant to CMO #5, the parties provide the following status update for the weeks ending February 28 and March 7:

1. **Ongoing discovery conferrals/dispute submissions to Judge Singh.** In accordance with the Court's directive during the February 10, 2025 Case Management Conference before Judge Singh, the parties continued to confer regarding custodians, data sources, search terms, and TAR (with respect to Express Scripts). The Plaintiffs and PBM Defendants filed letter briefs on these issues and are currently scheduled to appear before Judge Singh on Tuesday, March 11, 2025.
2. **Deposition protocol.** Plaintiffs provided the Defendants with a proposed deposition protocol on December 17, 2024, and Defendants provided their proposed edits to the draft deposition protocol on February 7, 2025. Plaintiffs are currently reviewing Defendants' edits and will be proposing a time for the parties to confer.
3. **Privilege log protocol.** Plaintiffs received Defendants' most recent proposed version of the Privilege Protocol on February 24, 2025. Plaintiffs plan to provide their response early next week.
4. **Plaintiffs' request for leave to file a motion to compel regarding their subpoena to Compass Lexecon.** On February 28, 2025, Plaintiffs filed a letter requesting leave to file a motion to compel a response to an October 4, 2024 subpoena served on Compass Lexecon, LLC, an economic consulting firm [ECF No. 438].
5. **Third-party discovery.** The parties continue to engage in third-party discovery.
6. **State AG DAO Disclosures.** Defendants and certain Plaintiffs in the State AG Track have met and conferred regarding Plaintiffs' disclosures of Departments, Agencies, and Offices required by CMO No. 15.

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7. **Class Track Discovery.** Defendants and Plaintiffs in the Class Track held an initial meet and confer regarding the Plaintiffs' responses and objections to Defendants' Master Discovery Requests.
8. **SFP Plaintiff Fact Sheets.** Certain Plaintiffs in the SFP Track have been producing Plaintiff Fact Sheets and corresponding document productions. The parties will meet and confer, as necessary, in accordance with Case Management Order #14 (Plaintiff Fact Sheet Implementation Order) [ECF No. 315].

For the Court's reference, the parties enclose a current case list, as well as a list of motions before Your Honor.

Thank you for your continuing attention to this matter.

Respectfully submitted,

/s/ Joanne Cicala

Joanne Cicala

*Liaison Counsel for*

*State Attorney General Track*

/s/ David R. Buchanan

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*Liaison Counsel for*

*Self-Funded Payer Track*

/s/ Matthew Gately

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*Liaison Counsel for*

*Class Action Track*

/s/ John D. Tortorella

John D. Tortorella

Enclosures

cc: Honorable Rukhsanah L. Singh, U.S.M.J. (via ECF)  
Counsel of Record (via ECF)